

CITY OF CHATTANOOGA
STORM WATER REGULATIONS BOARD

MINUTES

May 22, 1995, Public Works Conference Room

- I. The meeting was called to order by the Chairman at 5:00 p.m. after verification that a quorum was present and proper notification and advertising had been made.
- II. The roll call showed that the following were present: Ray Childers, Chairman; Evelyn Lovelady, Vice Chairman; Mike Poe, Secretary; Vicki James; and Charles Shaw. Those absent were: Tom Carson (reported he had to be out of town) and Derek V. Henry (came shortly after adjournment thinking the meeting was at 6:30 p.m.). Others present were Jack Marcellis, Public Works Administrator; Jack Wilkinson, City Engineer; Tom Scott, Stormwater Manager; Mike McMahan, Special Counsel, City Attorney's office; and Mr. Ernest Combs, who was to make an appeal.
- III. It was confirmed by the Chairman that all members present had received the minutes. Mike Poe pointed out that the minutes were correct but that the agenda incorrectly showed Mike Poe as Vice Chairman and Derek V. Henry as Secretary. Those elected to these positions were Evelyn Lovelady as Vice Chairman and Mike Poe as Secretary. He also pointed out that his position at Velsicol was that of Safety, Health, and Environmental Affairs Manager, rather than just the safety responsibilities as shown in the minutes, commenting that the additional responsibilities were more in keeping with the Stormwater Management work. Charles Shaw moved that the minutes be approved, Evelyn Lovelady seconded the motion, and it was approved by all present.
- IV. Tom Scott, Stormwater Manager, gave an update on the work of the Stormwater Management Division and provided a copy of the "Program Overview and Annual Report Summary" to each Board member. He explained that the division had to submit an annual report to Nashville and that the full report which was three inches thick was available in his office and that copies were available for loan for review. He summarized some activities that were now underway as follows:

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1. Ditches, or at least the bottoms, were now being vegetated as compared to rock or cement lined as was done on the WPA ditches throughout the City in the 1930's. It was found that, where the concrete had broken out of old ditches, vegetation had occurred and filtering had taken place. Also, fabrics are now available that hold vegetation on dug-out areas and prevent the disturbed areas from causing silting downstream.
2. A model wetland area has been constructed at the Challenger Center at UTC in cooperation with a number of other agencies. This will be fully computerized showing the levels of pollution reduction, the times needed and volumes treated naturally, etc.
3. The new parking lots to be constructed at the City's Greenway Farm will drain through the roots of vegetation to be planed and is expected to remove 100% of the unwanted pollutants.

The Chairman asked Tom Scott if the expected revisions of the federal stormwater act would affect the City program. He responded that the revisions of which he was aware would not change the mandate to the City, but would establish three classifications of permit requirements, simplifying some and strengthen the requirements for others. Vicki James questioned the effect of parking lot pollutants on the life of the plants, and Tom Scott explained that it is surprising, but a number of nutrients are also present and the plants thrive on the runoff.

- V. The Chairman confirmed that there was no one present having business that was carried over from the last meeting. Tom Scott explained that Ora Powell had provided confirming documents of the dates the property was occupied as a salvage yard within the last few weeks, and the staff will review this to determine in which classification the fee is to be calculated.

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- VI. The Chairman confirmed that Ernest Combs was present for his appeal and administered the witness oath to him. Tom Scott and Jack Wilkinson were administered the oath also. Tom Scott provided information on the tracts involved to the Board.

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Concerning the Godsey Road property, Tom Scott explained that the property was vacant, and the majority of the tract had a 250' wide TVA easement on it making it not usable as a building site. Mr. Combs was asking that it be exempt, but the administrator can only exempt water and forest areas. Mr. Combs stated the property is used to grow hay but is never cultivated, just sown and fertilized and cut. In response to a question by Charles Shaw, Mr. Combs said about 25 round bales of hay were harvested each year. He further said the stormwater fee exceeded the taxes on the lot, explaining that the Corridor "J" road project split his property, leaving this tract isolated from the remainder on the opposite side of the highway. In response to a question by the Chairman, Tom Scott stated that the fee had been determined based on vacant land and that agricultural use is slightly higher. Mike McMahan explained that forest area is not defined, and the only way possible for not changing the fee was if this was forest land. Mike Poe said that it appeared to be a "hay forest" and made the motion that the plot be classified as forest land, thus exempting it from the fee. Evelyn Lovelady seconded the motion, and it was approved by all present.

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Concerning the property at 4031 Access Road, Mr. Combs explained that the property had a metal "hut" on the property used as a machine shop with a gravel parking lot, but was grown up in trees in the back. Also, there is a gravel road used by the adjacent owner to the rear of the property that also accesses the back of the building, and he was asking that the road area be exempt. Jack Wilkinson explained that public roads are exempt because the storm drainage is handled with pipes, ditches, etc., on the right-of-way. Mr. Combs says he was told that he could not close the road and cut off

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access to the neighbor, and Mike McMahan confirmed that the owner served by the road could have perpetual rights to it as an access. Vicki James said it was significant that the road was undeveloped and had no drainage. Tom Scott confirmed that this is not a unique situation and that there are many private access roads within many areas that are paying the stormwater fee. Vicki James made a motion that the administration's calculations not exempting the roadway be upheld. Charles Shaw seconded the motion, and it was approved by all.

VII. It was confirmed that there were no others present wanting to be heard by the Board and that there was no other discussion by members of the Board.

VIII. The Chairman adjourned the meeting at 6:05 p.m.

Note: All information provided at the meeting is filed with these minutes. Audio tapes of the meeting are also filed with these minutes.

Approved August 14, 1995
J. J. Wilkins, Jr.